

1 DELLA N. SMITH, ESQ (SBN 199783)
2 HOLLAND LAW FIRM
3 1970 Broadway, Suite 1030
4 Oakland, CA 94612
5 Telephone No.: (510) 501-3237

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7 Attorney for Debtor
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12 **IN THE UNITED STATES BANKRUPTCY COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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16 **IN THE MATTER OF:**
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18 **NAME(S): SYREETA DANIELE CORBITT CHAPTER 13 NO. 10-45971**
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20 **ADDRESS: 610 Poplar Avenue RESPONSIVE DECLARATION OF
21 Vallejo, CA 94590 DELLA N. SMITH TO ORDER TO
22 SHOW CAUSE**
23

24 **SSN: (XXX-XX-5400)**
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26 **DEBTOR,**
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I, Della N. Smith declare:

1. That I am an attorney duly licensed to practice law in the State of California before all courts and attorney of record for debtor in this matter.
2. That on or about May 25, 2010 I attempted, several times, to file debtor's petition in the Eastern District but was unable to do so because of problems with the district's site for uploading.

1 3. When I was unable to file in the Eastern District I filed in the Northern
2 District and believed that because debtor had property located within the
3 Northern District venue would be proper.

4 4. That I was unaware of the order identified in the Order to Show Cause
5 from case 10-40752 and would not have made a filing which might be
6 viewed as one of improper venue were I aware of such an order.

7 5. That this was the first case I filed as attorney of record and the case
8 was not associated specifically with George Holland, Jr. or Henri Norris; in
9 fact neither party knew of the filing as I did not discuss my plans to file a
10 petition for debtor.

11 6. Immediately after the filing it became difficult to get positive response
12 from the court and debtor ultimately felt that she would be prejudiced
13 because of the court's issuance of the Orders to Show Cause and subsequent
14 correspondence which she viewed as hostile towards the firm.

15 7. On or about July 9, 2010 I returned debtor's cashiers checks, which
16 had remained un-cashed, and returned her file as she requested. A true and
17 correct copy, of the checks that were returned, is attached as Exhibit 1.

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23 Dated: July 12, 2010

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26 /s/ Della N. Smith
27 Della N. Smith
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